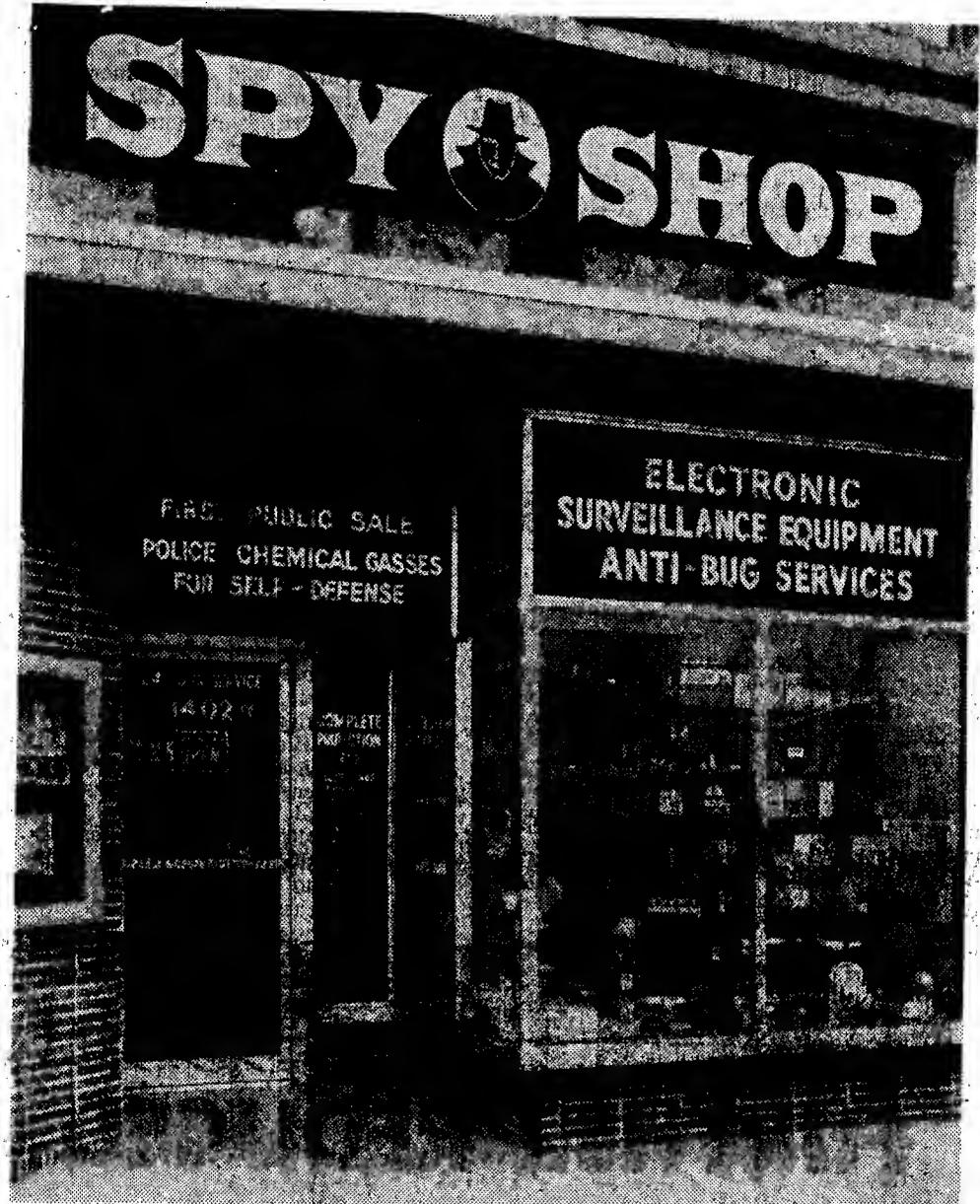


A 12 *Monday, Feb. 8, 1971* THE WASHINGTON POST

Survey Indicates Wiretap Servi

TAPS, From A1

Available



By Douglas Chevalier - The Washington Post

Electronic equipment is sold to police by the Spy Shop on New York Avenue NW.

Can You Hire a Wiretapper?

2/8/71

Survey Indicates Services Are Available

Second of two articles.

By Ronald Kessler

Washington Post Staff Writer

Five blocks from the Justice Department, a cubby-hole storefront displays replicas of bugging devices cleverly concealed in cigarette lighters and martini olives.

Inside, the manager quotes prices of \$119 to \$1,000 for what he describes as surreptitious listening devices guaranteed to be easily hidden, difficult to detect, and highly sensitive.

Few merchandisers of bugging devices display replicas of their wares as openly as this shop on New York Avenue at 14th Street NW. But the variety and sophistication of the store's equipment lend support to the view, expressed by debugging experts, that wiretapping and bugging are prevalent in Washington and throughout the country.

Thanks to the transistor, miniaturization of bugging devices is no longer a problem. To further avoid detection, private snoopers have turned increasingly to transmitters instead of wires to carry signals. A strict federal wiretap and bugging law enacted in 1968 has raised fees and made some wiretappers more cautious but, experts say, hasn't reduced the level of eavesdropping.

"If I wanted someone to do bugging, I could easily find 15 people in this area. All you have to do is dangle enough money," says Kenneth Smith, a Falls Church debugging expert who was once an Internal Revenue Service wiretapper. Harold K. Lipset, a San Francisco bug detection expert, claims bugging is "less dangerous than betting, harder to prove and more profitable."

Wiretappers do not readily admit their occupation.

They are more apt to say they are detection or electronics experts (many of whom, of course, won't tap). But they will readily name others in the wiretap business and occasionally display their bugging equipment or laboratories.

From these and other observations, it appears a Washington resident who wants to hire a wiretapper would have little difficulty.

Justice Department officials contend that private bugging has been reduced by enactment of the wiretap provisions of the Omnibus Crime Control and Safe Streets Act.

See TAPS, A12, Col

In an interview, Attorney General John N. Mitchell said complaints of bugging and tapping have dropped from 100 a month to only 30 a month since 1968. One to two persons are convicted each month, he said.

Mitchell said he knows of the Spy Shop on New York Avenue but was not aware it might sell bugging devices. Other Justice officials said they had been told by owners of the shop that no illegal devices were sold to the public.

As this reporter entered the shop recently, the manager, George Michaels, was demonstrating to an apparent customer a steel box the size of a large box of matches.

Executive Box

Michaels called it "the executive box" and said it permits telephones to be tapped safely. When the receiver is on the hook, Michaels said, the box turns off the tap, thus preventing detection, and while it is in operation the box reduces the drain on the phone wire through use of capacitors. In addition, he said, the box protects tape recorders from power surges that occur when the telephone bell is rung.

Michaels connected the box to a telephone on the counter and dialed information. After receiving the number and address of a Washington hotel, he rewound a tape recorder also connected to the device and played back his conversation with the information operator.

"How much?" the customer, a seedy-looking man in his 30s, asked.

"Three hundred dollars," Michaels said.

"Do you take credit cards?" the customer wanted to know.

Three Decals

The shop displays decals of three credit card companies, but Michaels said only cash would be accepted for the executive box.

"That's all right, I don't have any credit anyway," the man said, promising to come back with the money later in the week.

During the demonstration,

a D.C. policeman had wandered into the store, smiled at Michaels, and said inexplicably, "Something on the side." Later, a police cadet came in.

"Are you with a police department?" Michaels asked this reporter after he had been asked the price range for bugging devices.

"No," came the reply, and Michaels explained that bugging is against the law and that bugging devices can only be sold for "certain good reasons."

"I work for someone, and I can't say what it's for, but it's for a good purpose," Michaels was told.

Up to \$1,000

The manager quoted prices for bugging transmitters "smaller than a pack of cigarettes" with ranges of up to five blocks.

One device, for \$600, picks up room conversations and taps telephone calls when placed in a phone, Michaels said. Other devices were described as being particularly hard to detect because they transmit on high-frequency wavelengths.

No sale was made and in a subsequent interview, the Spy Shop's owner, C. R. Wallace, said no illegal devices are sold.

When a customer walks in, he said, "we would tell him that we don't sell bugs or wiretap equipment. If he identified himself properly as being from government or law enforcement, we'll sell bugging equipment with a contract. What we sell to the public is legal."

The 1968 wiretap law per-

mits private individuals to make or sell bugging devices for law enforcement agencies if they are under contract to do so. Without a police agency contract, the law prohibits manufacture, distribution, possession or advertising of devices "primarily useful for the purpose of surreptitious interception" of wire or oral communication.

Also prohibited is the use of any device to intercept wire or oral communication.

Penalties

Penalty on both provisions is not more than a \$10,000 fine or not more than five years in prison or both.

An almost identical law became effective in D.C. Feb. 1. The Maryland state wiretap law is slightly stricter than the federal law. Virginia has no state wiretap or bugging law, according to Assistant Attorney General James E. Kulp.

The Spy Shop's wares appear cumbersome when compared with those made by Bernard B. Spindel, of Holmes, N.Y., a former wiretapper who was considered by FBI and telephone company officials to be the top private eavesdropping authority in the country until his death last week. Some former FBI wiretappers say he was more versatile than FBI tappers.

Spindel lived in a sprawling combination house and laboratory with his wife, seven children, and two dogs. His clients have included James R. Hoffa, the former Teamsters Union president, and various Mafia figures.

Last July, Spindel was released from jail after serving 14 months for conspiring to wiretap. Before his death he said he sold equipment under contract to law enforcement agencies through his wife's company and taught wiretapping to police and intelligence agents.

In one of the five rooms of his laboratory, Spindel proudly showed his basic product: a microphone-amplifier combination or microphone-transmitter each the size of an aspirin tablet.

Concealment

The bugs are commonly concealed under furniture, in thermostats or heat registers, under moldings or carpeting, or behind electrical outlets.

If the transmitter bug is used, the signals are re-

ceived and monitored from a nearby rented room. If the amplifier device is used, Spindel made a connection to a spare telephone wire by painting a clear conductive fluid on the walls. No wire can be detected. The bug may then be monitored from a distant point if the proper arrangements can be made under the counter with telephone company employees.

Spindel said his amplifier transmits a signal that cannot be detected with ordinary debugging equipment. And just to be sure, both the amplifier and transmitter bug can be turned off remotely when the eavesdropper hears debuggers poking around in the room.

One sophisticated device, the harmonica bug, renders a telephone an open microphone that can be listened to from any point in the country.

Attache Cases

A number of companies sell attache cases equipped inside with a complete bugging kit: transmitters, microphones, tape recorders that turn themselves on when voices are heard, and induction coils that tap telephones by picking up stray electrical emissions several inches from the phone or phone wires.

Private and government wiretappers are trying to develop better ways of transmitting sounds from bugs. One target of research is the laser beam, which theoretically could eavesdrop on conversations inside a house by picking up vibrations on calls and windows from a distant point, says Marvin G. Gentile, the State Department's deputy assistant secretary for security.

Spindel used ultrasonic sound and cesium emssions in some of his bugs.

In 1960, the U.S. revealed that the American Embassy in Moscow had been bugged by beaming radio waves at a plain metal plate inside a Great Seal given to the embassy by the Russians as a present. The plate modulated the radio waves according to the sound waves in the room.

Each wiretapper has his own special techniques, but many experts agree that certain trends are discernible.

The Old Days

"In the old days," says John W. Leon, a D.C. private investigator, "you had to know somebody in the phone company. You hooked the wire of your bug or tap

to a spare phone wire on a pole or in a telephone vault. The way they're tapping today is they're using transmitters. You can't trace them, it's that simple."

Smith, the former IRS wiretapper, says the transmitter, once placed in a house, may be monitored several blocks away in a parked car.

"You leave the receiver and tape recorder in a briefcase in the car, and it will record for days or weeks," adds Smith, who was a staff investigator for the Senate Administrative Practices and Procedures Subcommittee.

Another Washington detective says homes are the easiest tapping targets.

"You go at night and put a transmitter on the telephone lines leading into the house from the outside, cover it with electrical tape, and it looks like a splice," he said. "You monitor it two to five blocks away, and there's no way they're going to find you. It will last indefinitely."

Off-Premises Phones

Leon says some husbands in divorce cases lease off-premises phones from the telephone company to record their wives' conversations. This way, he says, the extra phone will ring in the husband's office whenever the home phone rings. The tapes, of course, are illegal, but the information gained can be used to gather photographic evidence of the spouses' activities.

"The beauty of the off-premises phone is that it's legal," Leon says.

The bulk of private wiretapping and bugging in Washington is done in domestic cases, experts agree.

But other targets are businessmen, government officials, and lobbyists. They may be snooped upon to gain trade secrets, planned bid prices, legislative strategy or just plain dirt. Smith cites this example:

"About a year ago the executive vice president of a small New York State drug manufacturer called me and asked to meet me in a hotel. He offered me \$250 a day to bug an FDA (Food and Drug Administration) official to get the goods on the man's girl friend. He said he was having 'trouble' with the official, and would 'confront' him with evidence of his relationship with the girl and ask him to 'play ball.'"

Smith, who says he

Telephone Co., an AT&T subsidiary, declines to discuss how it checks for taps, but company workers say repairmen are assigned to physically inspect the customer's telephones and outside lines and poles, while another worker checks the line where it enters the telephone exchange office at the main frame. At the same time, one of the electrical characteristics of the line is checked with a meter, but telephone men and wiretap experts say only the crudest tap could be detected in this way.

Customer's Information

C&P repairmen, who decline to be named, say they are instructed to tell customers no tap was found even if one was. Earl A. Connor, staff supervisor for security of C&P, says this is because the information must be "verified," and the customer—as well as the FBI—are notified later that a tap was found.

However, James R. Robinson, the Justice Department attorney who prosecutes cases of illegal bugging and tapping, says FBI reports on each tap indicate whether the customer was notified by the phone company.

"More often than not," Robinson says, "the customer is not told."

A C&P spokesman says the incidence of tapping is low. "It has been blown out of proportion. There may be undue concern because the word itself is intriguing, and this is the seat of government, and people think there's a lot going on," he said.

doesn't bug or tap, says he declined the offer.

A person who suspects he is tapped or bugged has two alternatives: he can ask the telephone company to check his lines, if he suspects a tap, or hire a debugging expert to check for taps and bugs.

Each year, American Telephone & Telegraph Co. estimates, the giant utility gets some 5,200 requests from customers for wiretap checks, 250 of them in the Washington area. About 195 checks turn up taps or other evidence of tampering for eavesdropping purposes, seven to eight of them in Washington.

Chesapeake & Potomac

It is often difficult to know. Asked how many illegal bugging devices are found each year by the Federal Communications Commission, Curtis B. Plummer, chief of the field engineering bureau, said the commission doesn't keep statistics on the subject. When later confronted with information indicating the FCC does do so, Plummer conceded that



By Harry Nalchayan—The Washington Post

Ray Seale, who uses this electronics laboratory located in the back of his home in Annandale, is one of the area's

growing number of experts who specialize in detecting and removing unwanted wiretaps and bugging devices.

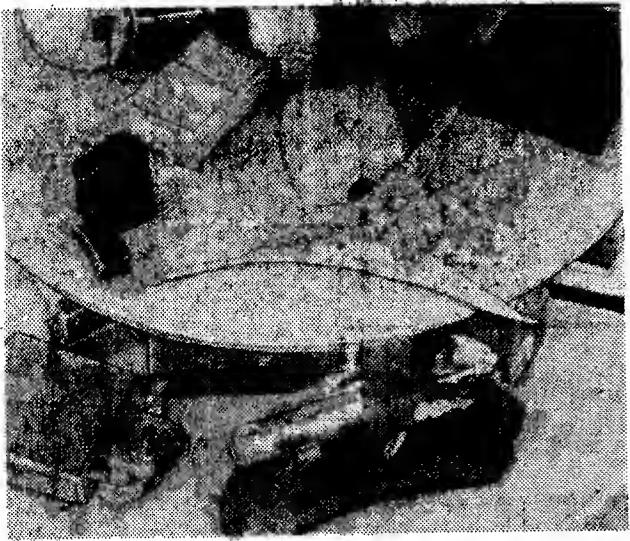
the figures are kept but "It's none of your business."

Private wiretap experts who may be hired to check for bugs or taps come with a range of talents and degrees of reliability. Spindel claimed it takes \$100,000 in electronic equipment and at least 10 years' experience to properly debug a room or telephone. The telephone company will not give customers access to their phone lines at the central office to see if a government tap is in place, and frequently a tap is placed by the phone com-

pany itself at the direction of the FBI.

Some debugging experts candidly acknowledge that they cannot detect a government tap, and others with vulnerable backgrounds say that if they find a government tap, they will leave it in place and not notify the client.

"I have no way of knowing for sure if I'm tapped or not," says Rep. Abner J. Mikva (D-Ill.), "and if a congressman or senator can't, how can the average citizen?"



By Douglas Chevalier—The Washington Post

Replicas of surveillance devices in a shop window.

FBI Wiretapping: How Widespread?

First of Two Articles

By Ronald Kessler
Washington Post Staff Writer

Nearly every year for the past 15 years, FBI Director J. Edgar Hoover has reported to Congress the number of telephone wiretaps operated by his agency in national security investigations. The number never exceeds 100, and in recent years it has fluctuated between 30 and 50.

How Hoover arrives at these figures is not known.

One well-informed source quotes FBI agents as saying the monitoring devices on many FBI taps are turned off a day before Hoover's congressional appearance, then reactivated—the taps still in place—a day later.

Ramsey Clark, the former attorney general, says information given to him while he headed the Justice Department indicated the taps were "thinned out" before Hoover's testimony.

Whatever the method, Clark, a present and a former FBI man, and a telephone company source all claim that the actual number of FBI taps exceeds the number Hoover reports to Congress. Clark claims that the true number was at least double the number reported by Hoover.

Even more widespread than wiretapping and bugging, both government and private, The Washington Post was told in interviews, was the fear of tapping, a condition thought by many to be as harmful as the fact.

About a quarter of the senators, congressmen, lawyers, businessmen and journalists responding to a Washington Post questionnaire said they have suspected or believed that their telephones were tapped or their offices bugged.

Attorney General John N. Mitchell, in a recent interview, discounted such talk as being symptomatic of paranoia.

"The misconception about wiretapping goes almost to the point of absurdity," Mitchell said. "Some people feel everybody in Washington is tapped, and the CIA is tapping the FBI, and the FBI's tapping the NSA (National Security Agency).

See TAPS, A18, Col. 1

"Of course, it couldn't be further from the truth."

The FBI and other government agencies have authority under the 1968 Omnibus Crime Control and Safe Streets Act and Presidential orders to tap or bug under two circumstances: in major criminal cases, only after obtaining approval of a judge, and in national security cases, only with the approval of the attorney general.

The number of court-ordered surveillances has increased from none in 1968 to 33 when Mitchell took over in 1969 to 213 last year, court records and Justice Department figures show.

National Security

But it is the national security category that is the frequent subject of controversy, and here there appear to be three sets of figures.

The first, unchallenged through the years, is the public accounting given by Hoover in annual testimony before the House Appropriations Subcommittee. The testimony last March followed the standard format:

"Our investigation coverage is also enhanced through the limited and closely controlled use of telephone and microphone installations," Hoover stated. "Currently—Feb. 14, 1970—we are operating 36 telephone surveillances and two microphone installations in bureau cases in the security field. All were authorized in advance and in writing by the Attorney General..."

Mitchell declined to either confirm or deny Hoover's figures. "I have a hell of a lot better things to do than read the testimony of people in the department on the Hill," he said.

Clark's View

But Ramsey Clark, who was followed as Attorney General by Mitchell in January, 1969, said in an interview in his Washington law office, "I don't think the Hoover testimony ever purported to give the full extent of FBI wiretapping."

Clark said Hoover in his congressional report is apparently counting only one category of national security taps: those on foreign nationals or persons working for foreign nationals in this country. Apparently excluded, Clark said, are taps on domestic security targets (persons suspected of plotting to overthrow the gov-

ernment) and taps on foreign missions. Combined, these categories represent the second set of figures and would be at least double the number cited by Hoover, Clark said. The highest number of taps is in Washington, he added.

"Mr. Hoover, according to information given to me while I was at Justice, will pull taps off before he testifies, and he couches his language. Of course, you have to thin them out (the taps) anyway," Clark said.

Clark said he was unaware of any further categories of FBI taps, but information given to The Washington Post indicates there is still a third set of figures.

"Leased Lines"

In Washington, a well-qualified source who requested anonymity said the FBI leases 450 lines that can be used for tapping and bugging. Several of the lines, he said, are sometimes used for one tap, as when a foreign embassy has five or 10 incoming circuits as well as special teletype and telegraph lines, all of which are to be intercepted. Many other lines in the tapping cable are attached to single telephones, the source said.

According to this source, the 450 lines run from Chesapeake & Potomac Telephone Co.'s downtown exchange, the nucleus of the D.C. telephone network, to the FBI's Washington field office, a distance of three blocks. The field office, housed in the Romanesque former national headquarters of the Post Office Department on Pennsylvania Avenue, is in turn a block from the Justice Department.

In C&P cable records, the 450 lines are listed as "special test circuits" rather than leased lines.

The source said taps are placed on lines in Washington by C&P employees, then routed from the various exchange offices to the downtown exchange, where the tapped wires are connected to the FBI's listening cable.

"Soundman"

A former FBI "soundman"—wiretapper and bugger—says he has seen at least one of the "tech rooms" in the field office where the lines are monitored. A telephone company source reports that the FBI removes its monitoring equipment from tapped lines when the lines or tapped telephones require

repair.

Both the FBI and telephone company declined to comment: the telephone company on the grounds that discussion of telephone

lines or customers would violate its obligation to insure secrecy of communications.

Mitchell, referring to the reported 450-line cable, said, "Anybody who told you that is absolutely out of his cotton-picking mind."

Mitchell said all FBI taps and bugs are approved by him. He said he has "no problem whatsoever accepting the clear records that we have."

He added, "All you have to do is prove to me that these taps are on there at the FBI's activation, and whoever put them on there will be out on the street looking for a job."

"200 Lines"

According to a former FBI soundman, who asked not to be identified, widespread FBI tapping is not new. He says that he personally serviced 200 surveillance lines, almost all of them wiretaps, in New York City around 1960. The taps were monitored from an average of six rooms leased in apartments and office buildings throughout the city, he said. During that period of time, congressional hearing transcripts show, Hoover was testifying to fewer than 100 taps throughout the country.

The first public indication that the FBI had engaged in extensive electronic eavesdropping came in April, 1963, when an FBI bug was found in the office of Edward Levinson, then president of the Fremont Hotel in Las Vegas. In later court testimony, FBI agents said the bureau had conducted 17-hour-a-day monitoring of microphones connected through 25 leased lines to various casinos and hotels in the area.

At the time, the FBI was under no clear-cut obligation to obtain specific approval of the Attorney General to engage in bugging, while approval for each wiretap installation was required. Tapping is interception of telephone conversations, usually through physical connections to telephone wires; bugging is interception of conversations in a room, usually with concealed microphones. After

the 1968 crime act was enacted, laws and regulations applying to the two practices became essentially identical.

Wiretap Approval

Only once did it appear on the record that the FBI might have wiretapped without the required approval of the Attorney General.

An FBI agent testified in a June, 1969, court case on an appeal of a draft conviction of Muhammad Ali that he monitored an FBI tap on the late Dr. Martin Luther King's home telephone in Atlanta until May, 1965, when he was transferred to another post, but he understood that the tap was continued by the FBI until a few days before Dr. King's assassination in 1968.

The three most recent Attorneys General—Mitchell, Clark and Nicholas deB. Katzenbach—all agreed in interviews that there is no evidence of authorization of the King tap after Katzenbach took over in 1965. If the King tap were continued until the civil rights leader's death, it would have been in violation of presidential orders, the three men indicated.

No Comment

The agent who gave the testimony, C. Barry Pickett, now assigned to the Cincinnati field office, declined to comment on how he knew that the tap was continued.

In placing taps, the FBI works closely with the telephone company, sources in both agencies say. Usually the employees who place the taps do not know they are doing so.

The FBI relays a "work order" to a contact man in the company. The company man is known as the "chief special agent"—frequently a former FBI agent himself. In the largest cities the job is handled by other special personnel.

The work order is filtered through several supervisory levels. It instructs a worker to simply connect one wire to another.

The Connection

The connection may be made either at the telephone exchange office's "main frame," a structure sometimes two stories high and nearly a block long where all subscriber lines and cables come into the exchange from the ground, or in any of several places where the line emerges between the exchange office and the telephone to be tapped or room to be bugged. The appearances

may be in underground vaults or manholes, in buildings or on telephone poles.

Such orders to connect lines are commonplace within the phone company. They may occur, for example, when a customer wants an answering service attached to his line, or an off-premises phone that rings when his home phone rings, or a

telephone number that remains unchanged after a move from an area served by another exchange.

Thousands of the taps, called "half-taps" in telephone parlance, are soldered onto customers' lines on the main frame, and telephone men say there is no way to distinguish between these taps and FBI taps.

Many of the half-taps are connected to dead wires left over from previous installations. When such wires are found, telephone sources say, no effort is made to find out if the lines are in fact taps.

"You have to go on to the next job," a telephone frame worker explains.

In Washington, FBI tap orders are known within C&P as "Sam Spade jobs" or "Horace Hampton circuits."

Hampton is C&P's director of government communications, but to those involved, he is considered to be the company's man in charge of government wiretapping. His name appears on telephone line cards warning employees not to dispatch repairmen to tapped phones, sources say.

A C&P spokesman said Hampton may not be interviewed because he handles "secret defense lines."

William F. Turner, a former FBI soundman in San Francisco and Seattle, said in interviews the telephone company there, at least in the past, has cooperated with the FBI to the point of setting up tape recorders on lines "right in the central office." Turner was fired by the FBI and later wrote "J. Edgar Hoover and the FBI: The Man and the Myth," a critical book.

Says Turner, "I had a situation when the phone company was servicing a line, and we had put a 'suicide tap' on." A suicide tap is one placed without FBI approval; it is done when an agent feels it is imperative to intercept telephone calls for a short time to solve a

case, and approval from the FBI headquarters is thought to be too time-consuming or when authorization is not given.

Turner says the suicide tap was made with clips attached to a line on a telephone pole. A thin wire ran down the pole, and conversations could be monitored from an FBI car periodically parked at the base of the pole.

"A lineman found it, and his supervisor called the special agent (of the telephone company), who called me. That ended that."

If an emergency exists, the 1968 wiretap law permits law enforcement officers to tap or bug without a court order for 48 hours in national security or organized crime cases. A court order must be applied for at the end of 48 hours.

"Frightening" Clause

Edward Bennett Williams, the Washington trial attorney who has been counsel in many of the major wiretap cases decided by the U.S. Supreme Court, calls the 48-hour clause "frightening" because "they can stick a bug in for 24 hours, take it out at night when they don't need to bug anyway, and put it in again in the daytime."

Mitchell said the 48-hour clause hasn't been used by the Justice Department because "we've found it hasn't been necessary." To obtain a court order for a tap, "you just find a judge, there's no hearing on it or anything else. The only basis for using that would be in an extreme emergency to protect life or circumstances like that."

In the past 10 years, according to agents, the FBI has increasingly turned to bugs rather than taps to gather intelligence in organized crime and domestic security cases.

"The Mafia and radical groups don't talk on the telephone very much," Ramsey Clark says.

The microphones—as small as pinheads—are often concealed in FBI-manufactured wall plates covering electric outlets or telephone connection boxes. They may transmit radio waves to receivers in listening posts nearby or they may be connected to spare telephone lines leased by the FBI and routed to the bureau's monitoring rooms.

Legal Requirements

Attorney General Mitchell says the law requires all government agencies, except the Central Intelligence Agency, to seek his approval before they may tap or bug. The CIA, he says, is barred from spying domestically.

CIA sources agree that whatever tapping the agency does in this country is sporadic, as it is, they say, with the National Security Agency, which eavesdrops extensively overseas.

Although physical surveillance of politicians and domestic groups by the Army Intelligence Corps has been widely publicized, none of

the informants has alleged use of electronic eavesdropping.

A Washington manufacturer of bugging and taping devices, who declined to be identified, claims he sold in 1962 \$10,000 worth of the equipment to various East Coast divisions of the corps and was negotiating to sell another \$100,000 worth.

Protection Taught

An Army spokesman acknowledged that protection against bugging is taught at Ft. Holabird in Baltimore, and "you can't teach that without teaching how to bug." The spokesman, Lt. Col. Harry A. Heath, said whatever Army tapping or bugging existed was stopped by a 1965 order from former President Lyndon B. Johnson.

The Defense Department says it monitors its own telephone lines for security reasons and to prevent "unauthorized use" of government communication lines. A spokesman says employees are warned that their calls may be monitored, and "no other use" is made of information obtained by listening in.

The Internal Revenue Service maintains a padlocked room in its basement where about \$100,000 in bugging equipment is stored, IRS sources say, but Vernon D. Acree, an assistant commissioner for inspection services, says the devices are only used in attempted bribe cases when either the IRS agent or the taxpayer gives his consent to use of the equipment.

Acree declined to permit this reporter to see the

equipment room.

Mitchell said he approved 504 requests for "consensual" bugging by all government agencies last year, up from 395 in 1969.

Agency Monitoring

About 52 government agencies permit monitoring of their own calls to some degree, usually through use of "transmitter cutoff switches," which allow calls to be heard from an extension phone on the same line without either party hearing the third telephone. Often the monitoring switch is used simply to allow a government official's secretary to transcribe a conversation with consent of all parties, according to the House Foreign Operations and Government Information Subcommittee, which released a survey last December.

It is the more secretive monitoring that causes concern.

"One of the most terrifying things about George Orwell's '1984' was not just that 'Big Brother is watching you' but that you never knew when you were being watched," says Sen. Mark O. Hatfield (R-Ore.).

Who is monitored?

Besides Dr. King, the Justice Department has admitted in court to bugging or tapping, either intentionally or through "overhearing," Elijah Muhammed, head of the Black Muslims; H. Rap Brown, the black militant; Muhammad Ali, the boxer; Lawrence (Pun) Plamondon, a White Panther Party defense minister and these defendants in the Chicago Seven trial; David Dellinger, Rennard Davis, Thomas Hayden, Jerry Rubin and Bobby Seale.

Court-Approved Taps

Nearly all the court-approved taps are on organized crime figures, and many of the national security taps are on foreign nationals working for other countries and foreign missions, FBI sources say.

The source claimed that some of the 450 lines leased by the bureau for tapping in Washington are used for these purposes, but the full inventory of tap targets could not be determined by the source.

Robert Amory Jr., deputy director of intelligence for the CIA from 1952 through 1962, told The Washington Post that he saw evidence given him by high White

House officials that his official CIA phones were tapped by the FBI during his tenure at the agency.

Amory, who later became head of the Budget Bureau's international division and now practices law in Washington, declined to discuss the exact nature of the "evidence," since, he said, it is classified. But he described it as the "fruits" of the monitoring.

Red China Policy

Why was he tapped? Amory says he believes it was because he favored admission of Red China to the United Nations in the early 1950s.

Robert G. Dunphy, Senate sergeant-at-arms, says he receives an average of one to two requests a month from senators who want their telephone lines checked by the phone company for taps. Rep. Abner J. Mikva (D-Ill.) says that of 25 congressmen he polled, 20, including a committee chairman and two subcommittee chairmen,

said they believe they are tapped.

But wiretap searches on the Hill rarely turn up evidence of snooping, and then the results are often inconclusive.

A year ago, say aides to Sen. Birch Bayh (D-Ind.), a government employee leaked information to Bayh on the strategy of the proponents of the nomination of Judge Clement Haynsworth to the U.S. Supreme Court.

Felling Pressure

The information was given to Bayh in his office with two other people present. Within 48 hours, Bayh's office says, the employee was informed that it was believed he had leaked strategy, and "he began feeling pressure."

A debugging expert checked Bayh's office and detected a radio transmission from the floor just in front of Bayh's desk. Rather than ripping up the newly installed carpeting, Bayh's office says, the expert hammered the area with a fireplace poker until the transmission stopped.

More than a week later, the carpeting was taken up without the expert present. Nothing unusual was found.

The debugger, Kennard Smith, a former Internal

Revenue Service wiretapper, says he is convinced the transmission was a bug. A spokesman for Sen. Bayh says the senator doesn't know what it was.

Widespread national publicity followed a charge in 1966 by another wiretap expert that Capitol lines were being tapped through a 100-line cable running three blocks from the Capitol frame room to the former Standard Oil Building at 261 Constitution Ave., NW. The building has since been torn down.

Private Authority

The expert, Bernard B. Spindel, was considered by both telephone company and FBI officials to be the top private authority on wiretapping in the country. He died last week of a heart attack. Spindel had been arrested more than 200 times for tapping but convicted only twice, once two years ago, when he served 14 months in jail for conspiring to wiretap for New York financier Huntington Hartford, according to New York officials. Spindel said in an interview before his death that he made eavesdropping devices and taught wiretapping to law enforcement agencies.

Spindel said he had found the 100-line cable while checking the line of a congressman for taps. He claimed he found a bug connected to a spare line running to the Capitol frame room. By placing a frequency on the line following it with a detector outside, he said he was able to trace a branch of the line to the Standard Oil Building. He said he could not reveal the name of the congressman.

Lines Traced

He said he traced the lines to the sixth floor of the Standard Oil Building, where an obscure section of the Justice Department's Bureau of Prisons rented space.

In a 1966 interview with this reporter, C&P's Horace R. Hampton confirmed the existence of the 100-line cable but said it was not for bugging or tapping, but rather an "economical" measure to allow for expansion. He said the Capitol lines are "carefully guarded against entry by a foreign source." C&P would not allow a further interview with Hampton at this time and

declined to comment on the subject.

According to Mitchell, "Congress hasn't been tapped or bugged since I've been here, and I doubt very much that they've ever been. If anyone found a bug they'd be down here so fast . . . oh, come on."

Walter J. Sheridan, a former FBI agent and special assistant to Attorney General Robert F. Kennedy, says, "The danger of an agent leaving the FBI and talking would certainly deter the bureau from tapping Congress."

"Delusions of Grandeur"

"A lot of people have delusions of grandeur that their conversations are significant enough to be listened to by snoopers," says Gerald M. Caplan, the metropolitan police department's general counsel, referring to the prevalent fear of wiretapping in Washington. "Tapping legally or illegally is costly, time-consuming, and involves much manpower."

Spindel contended such statements are part of the psychological war of nerves waged by tappers and the tapped.

"They want you to believe tapping is too expensive or risky," he said, admitting to his own stratagems to foil FBI buggers by planting

false information in rooms wired for sound by the bureau. Part of the problem, Spindel claimed, is that most debugging experts cannot detect a government tap.

"Ordinarily," says former FBI soundman Turner, "there's no noise from an FBI tap. The only real way to detect it is a physical check of the line from the pole box to the main (telephone company) exchange."

"If you have a real good tap with modern equipment, it will improve your line," says Joseph W. Shimon, a retired D. C. police inspector, convicted, with others, for operating a bug found in 1962 in a Mayflower Hotel suite occupied by a lawyer representing a gas company on a case before the Federal Power Commission.

"All of a sudden when you're getting clarity, now you're being tapped," Shimon says.

Noises on Lines

Most noises on telephone lines, wiretappers and telephone officials agree, are caused by a range of ordinary mechanical problems.

Clicks on the line, C&P says, can be caused by loose connections in the phone, cables, or central office equipment, wet cables, defective switches in the central office, and power surges when batteries in the central office are charged.

Faint overhearing of conversation on other lines may be from faulty wire insulation or splices, wet cables that increase electrical induction between wires, and out-of-tune circuits that carry many conversations at different frequencies over a single wire. The same problems may produce "beep" tones during a conversation, C&P said.

Repairmen tapping into a line to repair it or locate other wires can also cause a click, C&P added.

But experts say even the FBI can make mistakes or its equipment can break down, causing strange effects that sound similar to noises produced by normal mechanical irregularities.

The government takes no chances that its own phones or offices may be bugged. The suites of most of the heads of government agencies, including President Nixon's office, are periodically "swept" by debugging experts. When telephones are installed by C&P at the homes of some of the cabinet officers, such as Defense Secretary Melvin R. Laird, government security men go with the installers and check the phones for bugs after they leave.

J. Edgar Hoover doesn't worry about his own home phones being tapped. Two FBI agents check them out about once every two months.

But for most Americans, says lawyer Williams, "It's an exercise in futility to check lines because the thing can be pulled out and then put back in."

"I don't say a thing over my own phone that I don't care if someone else hears," says Marvin G. Gentile, deputy assistant secretary for security at the State Department.

And Mitchell, asked about his home phones, said he never says anything on the telephone "that I wouldn't mind being overheard."

Next: Private Wiretapping and Bugging.